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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HERBALIFE INTERNATIONAL, INC.,

No. \_\_\_\_\_

Plaintiff,

D.C. # CV 06-06312 JFW (MANx)  
(C.D. Cal. Los Angeles)

vs.

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA.,

Defendant.

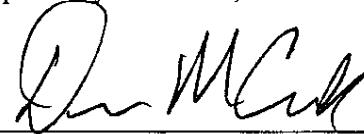
**REPRESENTATION STATEMENT**

The undersigned represents Herbalife International, Inc., plaintiff and appellant in this matter, and no other party. Attached is a service list that shows all of the parties to the action below, and identifies their counsel by name, firm, address, and telephone number, where appropriate. (F.R.A.P. 12(b); Circuit Rule 3-2(b) )

DATED: October 17, 2007

Respectfully submitted,

By:

  
Dennis M. Cusack  
Erica Villanueva  
Farella Braun + Martel LLP  
235 Montgomery Street, 30<sup>th</sup> Floor  
San Francisco, CA 94104  
415-954-4400

I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY  
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL  
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF  
RECORD IN THIS ACTION ON THIS DATE.

DATED: 10-23-07

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BY FAX

SERVICE LIST

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6	National Union Fire Insurance Company of Pittsburgh, Pa,	Thomas H. Sloan Michael D. Lisi Krieg Keller Sloan Reilley & Roman LLP 114 Sansome Street, Suite 400 San Francisco, CA 94104-3898 Tel: 415-249-8330 Fax: 415-249-8333

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## **PROOF OF SERVICE**

I, Karen Bolig, declare:

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 235 Montgomery Street, 17th Floor, San Francisco, California 94104. On October 18, 2007, I served a copy of the within document(s):

## **REPRESENTATION STATEMENT**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
  - by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
  - by placing the document(s) listed above in a sealed FedEx envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a FedEx agent for delivery.
  - by personally causing Specialized messenger service to deliver the document(s) listed above to the person(s) at the address(es) set forth below.

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**Atorneys for Defendant**

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 18, 2007, at San Francisco, California.

  
Karen Bolig